

111TH CONGRESS
1ST SESSION

H. R. 1211

To amend title 38, United States Code, to expand and improve health care services available to women veterans, especially those serving in Operation Enduring Freedom and Operation Iraqi Freedom, from the Department of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 26, 2009

Ms. HERSETH SANDLIN (for herself, Mr. MORAN of Kansas, Mr. BOOZMAN, Ms. GINNY BROWN-WAITE of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BOSWELL, Mr. WU, Mrs. MALONEY, Mr. McDERMOTT, and Mr. BISHOP of New York) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to expand and improve health care services available to women veterans, especially those serving in Operation Enduring Freedom and Operation Iraqi Freedom, from the Department of Veterans Affairs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Women Veterans Health Care Improvement Act”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—STUDIES AND ASSESSMENTS OF DEPARTMENT OF VETERANS AFFAIRS HEALTH SERVICES FOR WOMEN VETERANS

Sec. 101. Study of barriers for women veterans to health care from the Department of Veterans Affairs.

Sec. 102. Comprehensive assessment of women's health care programs of the Department of Veterans Affairs.

TITLE II—IMPROVEMENT AND EXPANSION OF HEALTH CARE PROGRAMS OF THE DEPARTMENT OF VETERANS AFFAIRS FOR WOMEN VETERANS

Sec. 201. Medical care for newborn children of women veterans receiving maternity care.

Sec. 202. Training and certification for mental health care providers of the Department of Veterans Affairs on care for veterans suffering from sexual trauma and post-traumatic stress disorder.

Sec. 203. Pilot program for provision of child care assistance to certain veterans receiving certain types of health care services at Department facilities.

Sec. 204. Addition of recently separated women and minority veterans to serve on advisory committees.

TITLE I—STUDIES AND ASSESSMENTS OF DEPARTMENT OF VETERANS AFFAIRS HEALTH SERVICES FOR WOMEN VETERANS

SEC. 101. STUDY OF BARRIERS FOR WOMEN VETERANS TO HEALTH CARE FROM THE DEPARTMENT OF VETERANS AFFAIRS.

(a) STUDY REQUIRED.—The Secretary of Veterans Affairs shall conduct a comprehensive study of the barriers to the provision of comprehensive health care by the Department of Veterans Affairs encountered by women

1 who are veterans. In conducting the study, the Secretary
2 shall—

3 (1) survey women veterans who seek or receive
4 hospital care or medical services provided by the De-
5 partment of Veterans Affairs as well as women vet-
6 erans who do not seek or receive such care or serv-
7 ices;

8 (2) build on the work of the study of the De-
9 partment of Veterans Affairs entitled “National Sur-
10 vey of Women Veterans in Fiscal Year 2007–2008”;

11 (3) administer the survey to a representative
12 sample of women veterans from each Veterans Inte-
13 grated Service Network; and

14 (4) ensure that the sample of women veterans
15 surveyed is of sufficient size for the study results to
16 be statistically significant and is a larger sample
17 than that of the study of the Department of Vet-
18 erans Affairs entitled “National Survey of Women
19 Veterans in Fiscal Year 2007–2008”.

20 (b) ELEMENTS OF STUDY.—In conducting the study
21 required by subsection (a), the Secretary of Veterans Af-
22 fairs shall conduct research on the effects of the following
23 on the women veterans surveyed in the study:

24 (1) The perceived stigma associated with seek-
25 ing mental health care services.

1 (2) The effect of driving distance or availability
2 of other forms of transportation to the nearest med-
3 ical facility on access to care.

4 (3) The availability of child care.

5 (4) The acceptability of integrated primary
6 care, women's health clinics, or both.

7 (5) The comprehension of eligibility require-
8 ments for, and the scope of services available under,
9 hospital care and medical services.

10 (6) The perception of the personal safety and
11 comfort of women veterans in inpatient, outpatient,
12 and behavioral health facilities of the Department.

13 (7) The gender sensitivity of health care pro-
14 viders and staff to issues that particularly affect
15 women.

16 (8) The effectiveness of outreach for health care
17 services available to women veterans.

18 (9) The location and operating hours of health
19 care facilities that provide services to women vet-
20 erans.

21 (10) Such other significant barriers as the Sec-
22 retary of Veterans Affairs may identify.

23 (c) AUTHORITY TO ENTER INTO CONTRACTS.—The
24 Secretary of Veterans Affairs shall enter into a contract
25 with a qualified independent entity or organization to

1 carry out the studies and research required under this sec-
2 tion.

3 (d) MANDATORY REVIEW OF DATA BY CERTAIN DI-
4 VISIONS WITHIN THE DEPARTMENT.—

5 (1) IN GENERAL.—The Secretary of Veterans
6 Affairs shall ensure that the head of each division of
7 the Department of Veterans Affairs specified in
8 paragraph (2) reviews the results of the study con-
9 ducted under this section. The head of each such di-
10 vision shall submit findings with respect to the study
11 to the Under Secretary for Health and to other per-
12 tinent program offices within the Department of
13 Veterans Affairs with duties relating to health care
14 services for women veterans.

15 (2) SPECIFIED DIVISIONS OF THE DEPART-
16 MENT.—The divisions of the Department of Vet-
17 erans Affairs specified in this paragraph are—

18 (A) the Center for Women Veterans, estab-
19 lished under section 318 of title 38, United
20 States Code; and

21 (B) the Advisory Committee on Women
22 Veterans, established under section 542 of title
23 38, United States Code.

24 (e) REPORTS.—

1 (1) REPORT ON IMPLEMENTATION.—Not later
2 than 6 months after the date on which the Depart-
3 ment of Veterans Affairs publishes a final report on
4 the study entitled “National Survey of Women Vet-
5 erans in Fiscal Year 2007–2008”, the Secretary of
6 Veterans Affairs shall submit to Congress a report
7 on the status of the implementation of the section.

8 (2) REPORT ON STUDY.—Not later than 30
9 months after the date on which the Department
10 publishes such final report, the Secretary of Vet-
11 erans Affairs shall submit to Congress a report on
12 the study required under this section. The report
13 shall include recommendations for such administra-
14 tive and legislative action as the Secretary of Vet-
15 erans Affairs determines to be appropriate. The re-
16 port shall also include the findings of the head of
17 each specified division of the Department and of the
18 Under Secretary for Health.

19 (f) DEFINITION OF FACILITY OF THE DEPART-
20 MENT.—In this section the term “facility of the Depart-
21 ment” has the meaning given that term in section 1701(3)
22 of title 38, United States Code.

23 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
24 authorized to be appropriated to the Secretary of Veterans
25 Affairs \$4,000,000 to carry out this section.

1 **SEC. 102. COMPREHENSIVE ASSESSMENT OF WOMEN'S**
2 **HEALTH CARE PROGRAMS OF THE DEPART-**
3 **MENT OF VETERANS AFFAIRS.**

4 (a) IN GENERAL.—The Secretary of Veterans Affairs
5 shall conduct a comprehensive assessment of all health
6 care services and programs provided by the Department
7 of Veterans Affairs for the health care needs of women
8 veterans. Such comprehensive assessment shall include as-
9 sessments of specialized programs for women with post-
10 traumatic stress disorder, for women who are homeless,
11 for women who require care for substance abuse or mental
12 illnesses, and for women who require obstetric and
13 gynecologic care.

14 (b) SPECIFIC MATTERS STUDIED.—

15 (1) IDENTIFICATION OF PROGRAMS.—For each
16 medical facility of the Department of Veterans Af-
17 fairs, the Secretary of Veterans Affairs shall identify
18 each of the following types of programs for women
19 veterans provided by the Department and determine
20 whether effective health care services, including evi-
21 denced-based health care services, are readily avail-
22 able to and easily accessed by women veterans:

23 (A) Health promotion programs, including
24 reproductive health promotion programs.

25 (B) Disease prevention programs.

26 (C) Health care programs.

1 (2) IDENTIFICATION OF RELEVANT ISSUES.—In
2 making such determination, the Secretary of Vet-
3 erans Affairs shall identify, for each medical facility
4 of the Department of Veterans Affairs—

5 (A) the frequency with which such services
6 are available and provided,

7 (B) the demographics of the women vet-
8 erans population,

9 (C) the sites where such services are avail-
10 able and provided, and

11 (D) whether, and to what extent, waiting
12 lists, geographic distance, and other factors ob-
13 struct the receipt of any of such services at any
14 such site.

15 (c) AUTHORITY TO ENTER INTO A CONTRACT.—The
16 Secretary of Veterans Affairs shall enter into a contract
17 with a qualified independent entity or organization to
18 carry out the studies and research required under this sec-
19 tion.

20 (d) DEVELOPMENT OF PLAN TO IMPROVE SERV-
21 ICES.—

22 (1) PLAN REQUIRED.—After conducting the
23 comprehensive assessment required by subsection
24 (a), the Secretary of Veterans Affairs shall develop
25 a plan to improve the provision of health care serv-

1 ices to women veterans and to project the future
2 health care needs, including the mental health care
3 needs of women serving in the combat theaters of
4 Operation Enduring Freedom and Operation Iraqi
5 Freedom.

6 (2) LIST OF SERVICES.—In developing the plan
7 under this subsection, the Secretary of Veterans Af-
8 fairs shall list the types of services available for
9 women veterans at each medical center of the De-
10 partment.

11 (e) REPORT.—Not later than one year after the date
12 of the enactment of this Act, the Secretary of Veterans
13 Affairs shall submit to Congress a report on the assess-
14 ment conducted pursuant to subsection (a) and the plan
15 required under subsection (d). The report shall include
16 recommendations for such administrative and legislative
17 action as the Secretary of Veterans Affairs determines to
18 be appropriate.

19 (f) GAO REPORT.—Not later than 6 months after
20 the date on which the Secretary of Veterans Affairs sub-
21 mits the report required under subsection (e), the Comp-
22 troller General shall submit to Congress a report con-
23 taining the findings of the Comptroller General with re-
24 spect to the report of the Secretary, which may include
25 such recommendations for administrative or legislative ac-

1 tions as the Comptroller General determines to be appro-
 2 priate.

3 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
 4 authorized to be appropriated to the Secretary of Veterans
 5 Affairs \$5,000,000 to carry out this section.

6 **TITLE II—IMPROVEMENT AND**
 7 **EXPANSION OF HEALTH CARE**
 8 **PROGRAMS OF THE DEPART-**
 9 **MENT OF VETERANS AFFAIRS**
 10 **FOR WOMEN VETERANS**

11 **SEC. 201. MEDICAL CARE FOR NEWBORN CHILDREN OF**
 12 **WOMEN VETERANS RECEIVING MATERNITY**
 13 **CARE.**

14 (a) NEWBORN CARE.—Subchapter VIII of chapter
 15 17 of title 38, United States Code, is amended by adding
 16 at the end the following new section:

17 **“SEC. 1786. HOSPITAL CARE AND MEDICAL SERVICES FOR**
 18 **NEWBORN CHILDREN OF WOMEN VETERANS**
 19 **RECEIVING MATERNITY CARE.**

20 “In the case of a child of a woman veteran who is
 21 receiving hospital care or medical services at a Depart-
 22 ment facility (or in another facility pursuant to a contract
 23 entered into by the Secretary) relating to the birth of that
 24 child, the Secretary may furnish hospital care and medical

1 services to that child at that facility during the 14-day
 2 period beginning on the date of the birth of the child.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
 4 at the beginning of chapter 17 of such title is amended
 5 by inserting after the item relating to section 1785 the
 6 following new item:

“1786. Hospital care and medical services for newborn children of women veterans receiving maternity care.”.

7 **SEC. 202. TRAINING AND CERTIFICATION FOR MENTAL**
 8 **HEALTH CARE PROVIDERS OF THE DEPART-**
 9 **MENT OF VETERANS AFFAIRS ON CARE FOR**
 10 **VETERANS SUFFERING FROM SEXUAL TRAUMA AND POST-TRAUMATIC STRESS DIS-**
 11 **ORDER.**
 12

13 Section 1720D of title 38, United States Code, is
 14 amended—

15 (1) by redesignating subsection (d) as sub-
 16 section (f); and

17 (2) by inserting after subsection (c) the fol-
 18 lowing new subsections:

19 “(d) The Secretary shall carry out a program to pro-
 20 vide graduate medical education, training, certification,
 21 and continuing medical education for mental health pro-
 22 fessionals who provide counseling, care, and services under
 23 subsection (a). In carrying out such program, the Sec-
 24 retary shall ensure that all such mental health profes-

1 sionals have been trained in a consistent manner and that
2 such training includes principles of evidence-based treat-
3 ment and care for sexual trauma and post-traumatic
4 stress disorder.

5 “(e) The Secretary shall submit to Congress an an-
6 nual report on the counseling, care, and services provided
7 to veterans pursuant to this section. Each report shall in-
8 clude data for the year covered by the report with respect
9 to each of the following:

10 “(1) The number of mental health profes-
11 sionals, graduate medical education trainees, and
12 primary care providers who have been certified
13 under the program required by subsection (d) and
14 the amount and nature of continuing medical edu-
15 cation provided under such program to such profes-
16 sionals, trainees, and providers who are so certified.

17 “(2) The number of women veterans who re-
18 ceived counseling and care and services under sub-
19 section (a) from professionals and providers who re-
20 ceived training under subsection (d).

21 “(3) The number of graduate medical edu-
22 cation, training, certification, and continuing med-
23 ical education courses provided by reason of sub-
24 section (d).

1 “(4) The number of trained full-time equivalent
2 employees required in each facility of the Depart-
3 ment to meet the needs of veterans requiring treat-
4 ment and care for sexual trauma and post-traumatic
5 stress disorder.

6 “(5) Any recommended improvements for treat-
7 ing women veterans with sexual trauma and post-
8 traumatic stress disorder.

9 “(6) Such other information as the Secretary
10 determines to be appropriate.”.

11 **SEC. 203. PILOT PROGRAM FOR PROVISION OF CHILD CARE**
12 **ASSISTANCE TO CERTAIN VETERANS RECEIV-**
13 **ING CERTAIN TYPES OF HEALTH CARE SERV-**
14 **ICES AT DEPARTMENT FACILITIES.**

15 (a) IN GENERAL.—

16 (1) PILOT PROGRAM REQUIRED.—Not later
17 than six months after the date of the enactment of
18 this Act, the Secretary of Veterans Affairs shall
19 carry out a two-year pilot program under which,
20 subject to paragraph (2), the Secretary shall provide
21 child care assistance to a qualified veteran child care
22 needed by the veteran during the period of time de-
23 scribed in paragraph (3).

24 (2) FORM OF CHILD CARE ASSISTANCE.—Child
25 care assistance under this section may include—

1 (A) stipends for the payment of child care
2 offered by licensed child care centers (either di-
3 rectly or through a voucher program);

4 (B) the development of partnerships with
5 private agencies;

6 (C) collaboration with facilities or pro-
7 grams of other Federal departments or agen-
8 cies; and

9 (D) the arrangement of after-school care.

10 (3) PERIOD OF TIME.—Child care assistance
11 under the pilot program may only be provided for
12 the period of time that the qualified veteran—

13 (A) receives a health care service referred
14 to in paragraph (4) at a facility of the Depart-
15 ment; and

16 (B) requires to travel to and return from
17 such facility for the receipt of such health care
18 service.

19 (4) QUALIFIED VETERAN DEFINED.—In this
20 section, the term “qualified veteran” means a vet-
21 eran who is the primary caretaker of a child and
22 who is receiving from the Department of Veterans
23 Affairs one or more of the following health care serv-
24 ices:

25 (A) Regular mental health care services.

1 (B) Intensive mental health care services.

2 (C) Any other intensive health care serv-
3 ices for which the Secretary determines that the
4 provision of child care would improve access by
5 qualified veterans.

6 (5) LOCATION OF PILOT PROGRAM.—The Sec-
7 retary shall carry out the pilot program at no fewer
8 than three Veterans Integrated Service Networks.

9 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
10 authorized to be appropriated to the Secretary of Veterans
11 Affairs \$1,500,000 for each of fiscal years 2010 and 2011
12 to carry out the pilot program under this section.

13 (c) REPORT.—Not later than six months after the
14 completion of the pilot program, the Secretary shall sub-
15 mit to Congress a report on the pilot program and shall
16 include recommendations for the continuation or expan-
17 sion of the pilot program.

18 **SEC. 204. ADDITION OF RECENTLY SEPARATED WOMEN**
19 **AND MINORITY VETERANS TO SERVE ON AD-**
20 **VISORY COMMITTEES.**

21 (a) ADVISORY COMMITTEE ON WOMEN VETERANS.—
22 Subsection (a)(2)(a) of section 542 of title 38, United
23 States Code, is amended—

24 (1) by striking “and” at the end of clause (ii);

1 (2) by striking the period at the end of clause
2 (iii) and inserting “; and”; and

3 (3) by inserting after clause (iii) the following
4 new clause:

5 “(iv) women who are recently separated vet-
6 erans.”.

7 (b) ADVISORY COMMITTEE ON MINORITY VET-
8 ERANS.—Subsection (a)(2)(a) of section 544 of title 38,
9 United States Code, is amended—

10 (1) by striking “and” at the end of clause (iii);

11 (2) by striking the period at the end of clause
12 (iv) and inserting “; and”; and

13 (3) by inserting after clause (iv) the following
14 new clause:

15 “(v) recently separated veterans who are minor-
16 ity group members.”.

17 (c) EFFECTIVE DATE.—The amendments made by
18 this section shall first apply to appointments made on or
19 after the date of the enactment of this Act.

○